

TRANSFER
TAX
PAID

WARRANTY DEED

037828

62-2

KNOW ALL BY THESE PRESENTS that Elm Plaza Corporation, a Maine corporation having a principal place of business in Waterville, County of Kennebec, State of Maine ("Grantor"), FOR CONSIDERATION PAID, by System Capital Real Property Corporation ("Grantee"), a Delaware Corporation whose mailing address is 711 Jordie Boulevard, Oak Brook, Ill 60523-1900, the receipt whereof is hereby acknowledged, do hereby GIVE, GRANT, BARGAIN, SELL and CONVEY unto the said Grantee, its successors and assigns forever, a certain lot of land together with any buildings and improvements thereon, situated on the west side of Main Street in the City of Waterville, County of Kennebec, State of Maine and further bounded and described as follows:

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Beginning at a point on the west sideline of said Main Street which is distant N 87° 17' 09" W, 16.52 feet, measured by the north sideline of a lot conveyed by Cecile Giroux to McDonald's Corporation, recorded in Kennebec County Registry of Deeds in Book 1520, page 746 from the northeast corner of said lot on said Main Street;
Thence by said Main Street N 02° 42' 51" E, 12.70 feet to a granite highway monument;
Thence continuing by said Main Street by a convex curve to the northwest having a radius of 4,724.74 feet a distance of 149.47 feet measured on the arc thereof and a chord bearing and distance of N 01° 54' 09" E, 149.46 feet to a point at land of Elm Plaza Corporation;
Thence by said Elm Plaza Corporation land which is described in deeds recorded in said Registry of Deeds in Book 3773, Page 185, Book 3773, Page 187 and Book 3899, Page 233 on the following described courses and distances:
N 86° 09' 48" W, 110 feet to a point;
Thence N 61° 10' 02" W, 130.07 feet to a point;
Thence S 02° 36' 42" W, 219.60 feet to a capped 5/8" reinforcing rod;
Thence by said other land of McDonald's Corporation S 87° 23' 18" E, 46.39 feet to a one inch iron at the northwest corner of said lot conveyed to McDonald's Corporation by Cecile Giroux by deed recorded in Book 1520, page 746.
Thence S 87° 17' 09" E, 183.08 feet to the point of beginning;

The above-described lot contains 40,756 square feet.

Said described parcel of land is subject to the following easements and conditions:

The above described parcel of land is benefited by the following easements; Slope easements for the parcel and the right to flow storm water from said parcel to the parcels of land of Elm Plaza Corporation as described in easement deeds of record to be recorded of even date herewith; the right for sewer and water service to the parcel through land of Elm Plaza Corporation;

The rights of Central Maine Power Company and Bell Atlantic, formerly New England Telephone and Telegraph Company, to pole lines wires and transformers as described in easement deeds of record, specifically book 1509 Page 658 and Book 2809 Pages 244 and 245.

BK 5832 PG 148

Said described parcel of land is a portion of the parcel described in the conveyance to Elm Plaza Corporation, deed recorded Book 3773, Page 185 Kennebec County Registry of Deeds and the parcel of land described in the conveyance to Elm Plaza Corporation, deed recorded in said Registry in Book 3773, Page 187.

The above description is based upon a ALTA/ACSM Land Title Survey on Main Street, Waterville, Maine made for the McDonald's Corporation by Owen Haskell, Inc. dated November 6, 1998, as revised and unrecorded.

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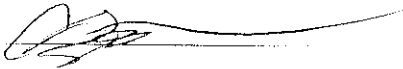
For further reference see the Land Title Survey of Property of Elm Plaza Corporation by Paul H. Ruopp Jr., P.L.S., Monmouth, Maine further reference being made to survey and Plan of Land Title Survey of Property of Elm Plaza Corporation, Main Street, Waterville, Maine, recorded plan Kennebec County Registry of Deeds.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said System Capital Real Property Corporation its successors and assigns forever.

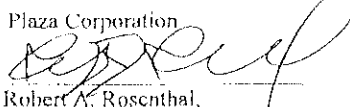
And Grantor does COVENANT with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises, that they are free of all encumbrances, except as aforesaid, that it has good right to sell and convey the same to the said Grantee to hold as aforesaid, and that it and its successors and assigns shall and will WARRANT and DEFEND the same to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, Elm Plaza Corporation, as Grantor, and releasing all its rights in the above described premises, has caused this instrument to be sealed with its corporate seal and signed in its corporate name by Robert A. Rosenthal, its President, therein duly authorized this 29th day of December 1998.

WITNESSETH:



Elm Plaza Corporation

By: 
Robert A. Rosenthal,
Its President

State of Arizona
County of Maricopa, Ss.

December 29 1998

PERSONNALLY APPEARED this 29th day of December 1998 the above-named Robert A. Rosenthal, President of Grantor Corporation, before me and acknowledged the foregoing instrument to be his free act and deed of said Corporation.



NOTARY PUBLIC
STATE OF ARIZONA
MARICOPA COUNTY
CAROLYNN D. FREYE
MY APPOINTMENT EXPIRES 7/9/2001

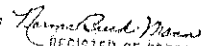
Before me,


Attorney at Law/Notary
My commission expires: 7/9/2001

A/33WARR, deed, water, road

RECEIVED KENNEBEC SS.

1998 DEC 31 PM 2:00

ATTEST: 
REGISTER OF DEEDS